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12-6-2006

Speight v. Nash

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 06-2841

CEARFUL SPEIGHT, JR.

v.

JOHN NASH, Warden

On Appeal From the United States District Court
For the District of New Jersey
(D.C. Civil No. 05-cv-04690)
District Judge: Honorable Jerome B. Simandle

Submitted For Possible Summary Action
Under Third Circuit LAR 27.4 and I.O.P. 10.6
October 26, 2006

Before: RENDELL, SMITH and COWEN, Circuit Judges.

(Filed: December 6, 2006)

OPINION OF THE COURT

PER CURIAM

Cearful Speight, Jr. appeals from an order of the United States District Court for the District of New Jersey, dismissing the petition he filed pursuant to 28 U.S.C. § 2241. The District Court noted that Speight had previously filed a § 2241 petition raising the same claims, which it had dismissed for lack of jurisdiction, and that this Court affirmed

on appeal. See Speight v. Nash, D. N.J. Civ. No. 05-319 (FLW); Speight v. Nash, C.A. No. 05-2011(judgment entered May 31, 2005). As this Court has previously affirmed the District Court's holding that it lacked jurisdiction to consider Speight's arguments, it follows that the District Court similarly lacked jurisdiction to consider the identical arguments brought in the instant petition. We will therefore summarily affirm the District Court's order.